

Original

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Petition of)
J & K Broadcasting, Inc.)
For Amendment To The Table of Allotments)
To Add Channel 238A (95.5 MHZ) at)
Buckhannon, WV)

RM- _____

MM Docket No. _____

To: Allocations Branch
Policy and Rules Division
Mass Media Bureau

PETITION FOR RULEMAKING

J & K Broadcasting, Inc., (Petitioner), by its attorney, hereby submits its petition for rule making which proposes to amend §73.202 of the Commission's rules by adding Channel 238A at Buckhannon, West Virginia. In support whereof, the following is respectfully submitted:

1) The instant petition for rule making proposes to add Channel 238A to the Table of Allotments for Buckhannon, West Virginia. The public interest would be served by adopting this rule amendment because Buckhannon, WV would receive its fourth local aural broadcast service thereby providing additional local service for the people of Buckhannon. The attached engineering exhibit demonstrates that Channel 238A can be allotted to Buckhannon, WV in accordance with the Commission's rules.

2) Petitioner proposes that the FM allocation table be amended as follows:

<u>Location</u>	<u>Current Allocation</u>	<u>Proposed Allocation</u>
Buckhannon, WV	228B1, 267B	228B1, 238A, 267B

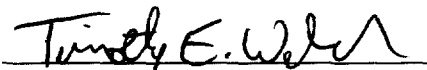
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WHEREFORE, in view of the information presented herein, it is respectfully submitted that the public interest would be served by amending the FM allocation table as proposed herein.

Respectfully submitted,
J & K BROADCASTING, INC.

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Timothy E. Welch

Its Attorney

February 13, 1998

TECHNICAL EXHIBIT
IN SUPPORT OF A
PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
BUCKHANNON, WEST VIRGINIA

Technical Narrative

This technical narrative and associated exhibits in support of a Petition for Rule Making to amend Section 73.202(b) by the allotment of channel 238A (95.5 MHz) to Buckhannon, West Virginia.

Proposed Change in Table of Allotments

It is requested that Section 73.202(b) be amended by the allotment of channel 238A to Buckhannon, West Virginia. Buckhannon is located in Upshur County and has a 1990 U.S. Census population of 5,909 persons. Buckhannon has four local FM stations (two commercial and two noncommercial) and one local AM station. Therefore, Petitioner's proposal would bring a sixth local aural broadcast service and fourth local commercial broadcast service to Buckhannon. The proposed changes are as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Buckhannon, West Virginia	228B1, 267B	228B1, 238A, 267B

The proposed channel 238A reference point is located in excess of 320 km of the nearest point of the U.S.-Canadian border; therefore, coordination with Canada is not necessary. The proposed channel 238A reference point is located within the National Radio Quiet Zone in West Virginia; therefore, coordination with the National Radio Astronomy Observatory and Naval Radio Research Observatory may be necessary.

Compliance With FCC Rules

The attached Figure 1 is a tabulation of required separations pertinent to use of channel 238A at Buckhannon. The Buckhannon reference coordinates contained in the USGS Geographic Names Information System Population of Places Database (Latitude 38°59'38" North, Longitude 80°13'56" West) have been utilized for distance calculations. As shown, the reference coordinates comply with the Commission's minimum distance separation requirements contained in Section 73.207 with respect to all existing, authorized and proposed stations and allotments.

Figure 2 is a map showing the area to locate channel 238a at Buckhannon in compliance with the Commission's minimum distance separation requirements and city coverage requirements based on maximum Class A facilities (ERP 6 kW/HAAT 100 m). The Buckhannon city limits shown on Figure 2 were obtained from a map contained in the 1990 U.S. Census of Population.

Conclusion

Channel 238A can be allotted to Buckhannon, West Virginia in compliance with all applicable Commission Rules.


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November 19, 1997

TECHNICAL EXHIBIT
IN SUPPORT OF A
PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
BUCKHANNON, WEST VIRGINIA

FM SEPARATION STUDY

Job Title : Proposed Buckhannon, WV

Separation Buffer 32 km

FCC DB Date : 11/14/97

Channel 238A (95.5 MHz)

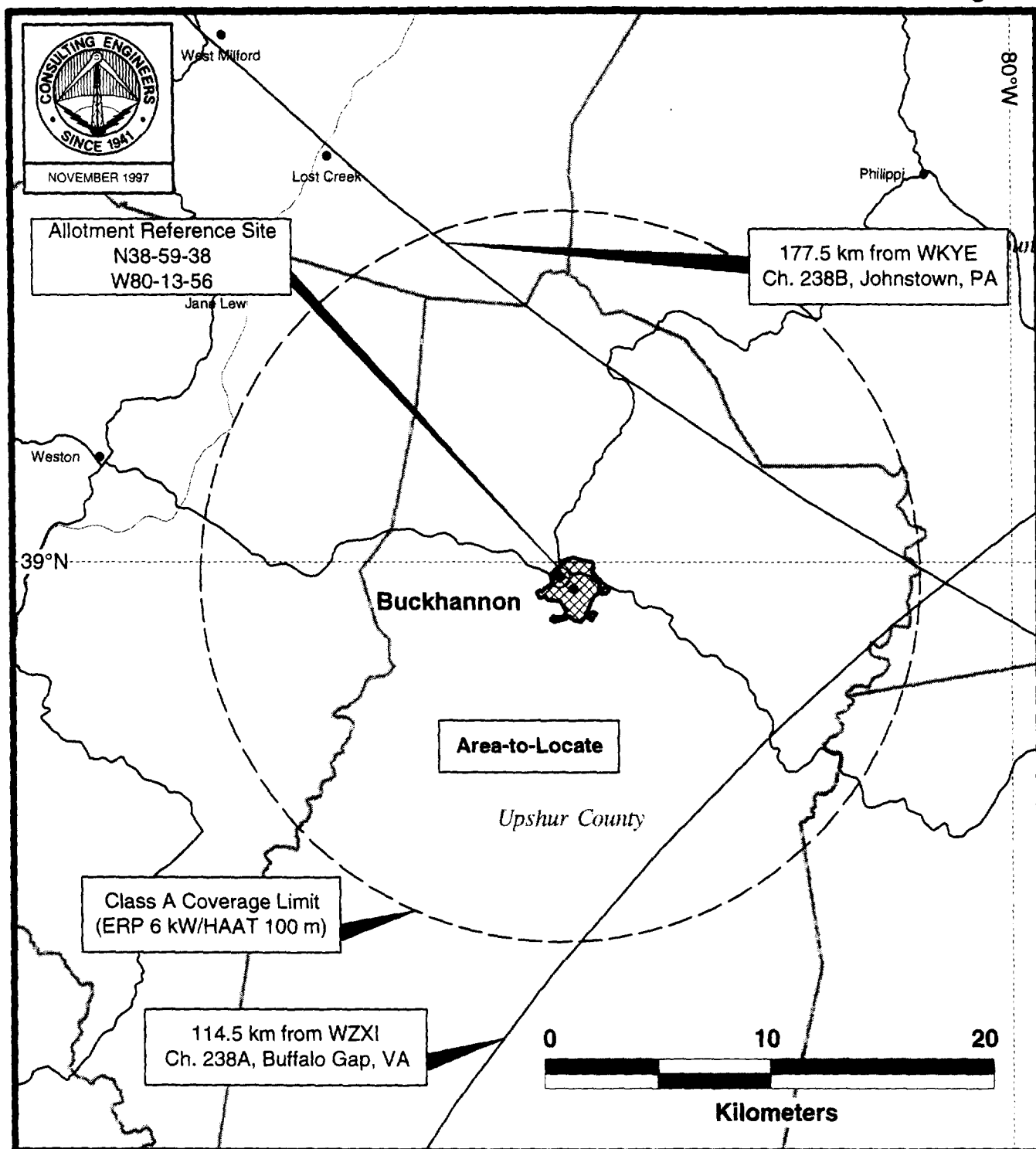
Coordinates : 38-59-38 80-13-56¹

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
WASPFM	Oliver		235A	.400	39-52-11	27.4	109.83	31
CP	PA	BPH880616MT	94.9	378.0	79-38-22		78.83	CLEAR
*To Amend to Channel 235B1 PEr D92-314								
Class B1 in respect to Canada-Accepted by Canada 901105								
WXIL	Parkersburg		236B	50.	39-14-47	285.1	110.83	69
LIC	WV	BMLH920715KC	95.1	152.0	81-28-19		41.83	CLEAR
Grandfathered with 50 kW ERP at 152 meters HAAT								
WRLB	Rainelle		237B1	13.0 DA	37-57-28	202.0	123.98	96
LIC	WV	BLH960314KA	95.3	139.0	80-45-45	SS	27.98	CLEAR
WZXI	Buffalo Gap		238A	6.0	38-10-55	135.6	125.74	115
LIC	VA	BMLH970227KB	95.5	94.0	79-13-34		10.74	CLOSE
WKYE	Johnstown		238B	57.	40-22-18	34.5	186.81	178
LIC	PA	BLH880927KA	95.5	323.0	78-58-57		8.81	CLOSE
Grandfathered at 57 kW ERP at 323 meters HAAT								
	Shadyside		239B1		40-02-00	338.7	124.10	96
ALC	OH	Docket88-544	95.7	.0	80-45-45		28.10	CLEAR
Site Restricted-Effective 7-7-89-RSVD for WBJY Per D88-544								
WEEL	Shadyside		239B1	5.0	40-03-41	339.6	126.68	96
APP	OH	BPH920729IG	95.7	190.0	80-45-08	SS	30.68	CLEAR
From Channel 239A per D88-544-Dismissed 950927-Petition for Recon 951026								
WTBZFM	Grafton		240A	3.00	39-21-16	24.0	43.89	31
LIC	WV	BLH880405KQ	95.9	91.0	80-01-27		12.89	CLOSE
WLTK	Broadway		241B1	2.60	38-33-50	112.9	121.23	48
LIC	VA	BLH900531KA	96.1	308.0	78-57-00		73.23	CLEAR

** End of separation study for channel 238A **

¹ Reference point for Buckhannon, WV listed in the USGS Geographic Names Information System Population of Places Database.

Figure 2



AREA TO LOCATE

CHANNEL 238A

BUCKHANNON, WEST VIRGINIA

du Treil, Lundin & Rackley, Inc. Sarasota, Florida